



Montana Legislative Services Division
Legal Services Office

SENATE PUBLIC HEALTH, WELFARE & SAFETY

EXHIBIT NO. 1

DATE: 1/10/13

BILL NO. N/A Organized Mtg.

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TO: Members of the Senate Public Health, Welfare, and Safety Committee
FROM: Alexis Sandru, Staff Attorney
DATE: January 05, 2013
RE: 2013 Session Introduction -- Organizational Meeting Information

I am the staff attorney assigned to the Senate Public Health, Welfare, and Safety Committee. I will assist the committee with several functions, including reviewing bills assigned to the committee for any conflicts with existing laws or the U.S. and Montana Constitutions, drafting amendments, drafting committee bills, assisting the committee or individual members of the committee in obtaining information pertaining to bills under the committee's consideration, and attending subcommittee hearings or conference or free conference committee deliberations. My office is located in Room 129 in the Legislative Services Division. You may contact me at 406.444.4026 or by email at asandru@mt.gov.

The Senate Public Health, Welfare, and Safety Committee is scheduled to meet Mondays, Wednesdays, and Fridays at 3 p.m. in Room 317. **The committee's first meeting will be held on Thursday, January 10, 2013, at 4:30 p.m. in Room 350.** Chairman Priest asked that I provide you with the following information to assist you in preparing for that meeting:

- Draft agenda for the organizational meeting
- Proposed amendment guidelines document
- Proposed procedural guidelines document
- Transmittal/bill request deadlines document

Please do not hesitate to contact me if you have any questions. I look forward to working with each of you this upcoming session.

Sincerely,

Alexis Sandru

Enclosures:
Draft agenda
Amendment guidelines document
Procedural guidelines document
Transmittal/bill request deadlines document

Draft Agenda

2013 Senate Public Health, Welfare, and Safety Organizational Meeting
*Thursday * January 10 * 4:30 p.m. * Room ____*

1. **Call to Order**
Roll
2. **Introductions**
Committee members
Staff secretary -- Julie Emge (overview of responsibilities)
Staff attorney -- Alexis Sandru (overview of responsibilities)
3. **Committee Procedure**
 - A. Proposed procedural guidelines
[See attached proposed procedural guidelines document]
 - B. Amendments
[See attached proposed amendment protocol document]
 - C. Proxy Voting [S30-100]
 - D. Adopt procedural and amendment guidelines and proxy voting procedure
4. **Miscellaneous Items**
 - A. Snack fund
 - B. Provide contact information [for committee use only]
 - C. Other?

Protocol for Amendments
2013 Senate Public Health, Welfare, and Safety Committee

General Guidelines

- (1) Legislative staff will draft amendments only at the request of a legislator. A legislator must be willing to "sponsor" (in writing) proposed amendments before the legislative services staff (drafter, editor, attorney) will devote time to an amendment.
- (2) Committee members are the only legislators who can move amendments to a bill while the bill is in committee.
- (3) Although legislators who are not on the committee may request that amendments be drafted, they must be able to convince a committee member to move, carry, or "sponsor" the amendments while the bill is in committee.
- (4) It is best that requests of staff to draft amendments to a bill while it is in committee come from a member of the committee. Otherwise, if no committee member will agree to move the amendments, staff time will have been spent in drafting "dead" or non-introducible amendments. However, once on the floor of the Senate, a bill may be amended by any legislator.

Timelines for Submission of Amendments

- (5) Amendments should be verbally suggested or submitted in writing to the committee during the first reading hearing and preferably not during the executive session.
- (6) Requests for amendments for presentation to the committee for consideration during executive session must be:
 - requested by a legislator (see sections (1) through (4) above);
 - submitted **in writing** to staff for drafting, legal review, function and coordination analysis, and editing **by noon of the day prior to executive action on the bill.**

***Exception** A minor amendment that requires no detailed analysis or editing (i.e., changing a word or date, clerical corrections, etc.) may be considered on shorter notice and/or during executive session at the discretion of the Chair.*
- (7) The deadline referred to in section (6) will be even more important as the session progresses and more bills and amendments are up for consideration. Complicated amendments or substantive amendments to complex legislation can require considerable staff time to analyze, cross reference, draft, edit, and prepare accurately.
- (8) Voting on conceptual amendments is discouraged due to the risk that conceptual amendments may not function once incorporated into a bill. If a conceptual amendment is voted on in committee, staff is afforded the latitude to make necessary revisions to ensure the functionality of the amendment.

**Senate Public Health, Welfare, and Safety Committee
2013 Proposed Procedural Guidelines**

I. Public Hearings on Proposed Legislation

A. Hearing Process

1. At the time set for a hearing, the Chair will recognize the sponsor of the bill who will open the presentation.
2. Proponents of the bill will testify.
3. Opponents of the bill will testify.
4. Informational witnesses will testify.
5. Committee members may ask questions of those who testified. All questions must be directed through the Chair.
6. All discussion will begin and end at the direction of the Chair.
7. The sponsor of the bill will close the presentation following questions from the committee.

B. Procedures for Witnesses

1. All witnesses must sign the witness sheet before presenting testimony.
2. Proponents and opponents should try to state new points of testimony only. Witnesses who agree with points already made should state their agreement with the position.
3. Witnesses presenting testimony should remain in the room to answer any questions from committee members until the hearing is closed.
4. Written copies of testimony presented by a witness may also be submitted for the permanent committee record.

C. General Guidelines

1. Everyone will act and be treated in a courteous manner.
2. The Chair shall maintain order within the committee room during all committee meetings.
3. Cell phones must be turned off, except in cases of urgency.
4. The use of cameras, television, radio, or video taping equipment is allowed. The Chair may designate appropriate areas for use.
5. Testimony requiring the use of video, audio, or other equipment may be permitted at the discretion of the Chair if arrangements are made in advance.
6. Absentee video or audio testimony may not be permitted, subject to the discretion of the Chair.

II. Executive Session

A. In general and subject to the discretion of the Chair, executive session will not be held the same day as the public hearing on the bill, unless the bill is noncontroversial.

B. Executive sessions are open to the public, but discussion is limited to committee members. Members of the public may be asked questions by

committee members at the discretion of the Chair.

III. Amendments [See Senate Public Health, Welfare, and Safety 2013 Amendment Protocol]

A. Amendments to be presented to the committee for consideration during executive session must be moved by a committee member, including amendments proposed by a bill sponsor.

B. All amendments must be submitted in writing to the committee staff at least one day prior to executive action on the bill. A simple amendment may be considered on shorter notice at the discretion of the Chair.

C. Only members of the committee may move amendments to a bill while the bill is in the committee.

IV. Proxy voting

To be determined by the committee in accordance with S30-100.

V. Notice of Hearings

Senate Rule 30-60 provides, in relevant part:

A. All meetings of committees must be open to the public at all times, subject always to the power and authority of the chair to maintain safety, order, and decorum. The date, time, and place of committee meetings must be announced.

B. Notice of a committee hearing must be made by posting the date, time, and subject of the hearing in a conspicuous public place not less than 3 legislative days in advance of the hearing. This 3-day notice requirement does not apply to hearings scheduled:

(1) prior to the third legislative day;

(2) less than 10 legislative days before the transmittal deadline applicable to the subject of the hearing;

(3) to consider confirmation of a gubernatorial appointment received less than 10 legislative days before the last scheduled day of a legislative session; or (d) due to appropriate circumstances.

Senate Public Health, Welfare, and Safety Committee

2013 Deadlines for Transmitting and Requesting Bills

Transmittal Deadlines

The joint House and Senate rules establish a number of deadlines, both for requesting legislation and for transmitting legislation from one chamber to the other.

To meet the transmittal deadlines for the various types of legislation, committees must finish up work on the bills several days in advance of each deadline, so the bills can be processed out of committee, printed for the floor, and go through second and third readings.

Both chambers typically meet in full-day floor sessions during the three days before the **February 27 deadline** for transmittal of general bills. Committee work on general bills usually needs to be completed by the Friday before transmittal week, unless the committee decides to meet on the Saturday before transmittal week.

To meet the **April 8 deadline** for transmitting amendments to House bills, the committee needs to complete action at least three days before the transmittal deadline on all bills that will be amended.

Because both chambers typically meet in longer floor sessions during the transmittal deadlines for spending and taxation bills, the regular meeting times for committees may be shortened in the days leading up to these deadlines. That may necessitate shorter hearings or additional meeting dates to meet the deadlines.

Following is a summary of the various transmittal deadlines.

Bill Type	Legislative Day	Date	Suggested Last Date for Committee Action
General Bills or Resolutions	45	Feb. 27	Feb. 22
Appropriation Bills	67	March 28	March 22
Revenue Bills and Referendums	71	April 5	March 27
Amendments to General Bills	73	April 8	April 3
Amendments to Appropriation Bills	80	April 16	April 10
Amendments to Revenue Bills	82	April 18	April 12
Interim Study Resolutions	85	April 22	April 17

Deadlines for Requesting Bills

All bill-drafting requests must be submitted by 5 p.m. on the legislative day noted.

Bill Type	Current Rules Legislative Day/Date	Proposed Rules Legislative Day/Date
General Bills and Resolutions	Day 12/Jan. 19	Day 12/Jan. 19
Revenue Bills	Day 17/Jan. 25	Day 17/Jan. 25
Committee Bills and Resolutions	Day 36/Feb. 16	Day 36/Feb. 16
Referendums and Committee Revenue Bills	Day 62/March 22	Day 62/March 22
Interim Study Resolutions*	Day 75/April 10	Day 60/March 20
Committee Bills Implementing HB 2	Day 75/April 10	Day 67/March 28
Appropriation Bills	No deadline	Day 45/Feb. 27
Resolutions Expressing Confirmation of Appointments	No deadline	No deadline
Bills/Resolutions Involving the Amendment or Adoption of Administrative Rules	No deadline	No deadline

*Typically, a committee request for an interim study could be submitted up until this date.

+Document provided courtesy of Sue O'Connell, Research Analyst.